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1 EDMUND G. BROWN JR., Attorney General of the State of California **Board of Vocational Nursing** and Psychiatric Technicians 2 WILBERT E. BENNETT Supervising Deputy Attorney General KIM M. SETTLES, State Bar No. 116945 3 Deputy Attorney General 4 1515 Clay Street, 20th Floor P.O. Box 70550 Oakland, CA 94612-0550 5 Telephone: (510) 622-2138 6 Facsimile: (510) 622-2270 7 Attorneys for Complainant 8 9 BEFORE THE BOARD OF VOCATIONAL NURSING 10 AND PSYCHIATRIC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS 11 STATE OF CALIFORNIA 12 In the Matter of the Accusation Against: Case No. VN-2005-2148 13 SARA RAMIREZ, a.k.a. SARA PREZA 14 101-A Hickey Boulevard, PMB #304 San Francisco, CA 94080 15 ACCUSATION Vocational Nurse License No. VN 126559 16 Respondent. 17 18 Complainant alleges: 19 **PARTIES** 20 1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this 21 Accusation solely in her official capacity as the Executive Officer of the Board of Vocational 22 Nursing and Psychiatric Technicians (Board), Department of Consumer Affairs. 23 On or about May 7, 1985, the Board of Vocational Nursing and Psychiatric 2. Technicians issued Vocational Nurse License No. 126559 to SARA RAMIREZ, also known as 24 SARA PREZA ("Respondent"). The Vocational Nurse License will expire on January 31, 2009, 25 26 unless renewed. 27 // 28 -//

STATUTORY PROVISIONS

- 3. Section 2875 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline the holder of a vocational nurse license for any reason provided in Article 3 of the Nursing Practice Act.
- 4. Section 820 of the Code provides, in pertinent part, that the Board may order a licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency, whenever it appears that any person holding a license, certificate or permit may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency.
- 5. Section 821 of the Code provides that the licentiate's failure to comply with an order issued under Section 820 shall constitute grounds for the suspension or revocation of the licentiate's certificate or license.

FIRST CAUSE FOR DISCIPLINE (Failure to Comply with Order)

6. Respondent is subject to disciplinary action under Code section 821 in that on February 20, 2008, the Board issued an Order to Compel a Psychiatric and Physical Examination, requiring respondent to submit to a psychiatric and physical examination by March 21, 2008. On April 8, 2008, the Board granted a thirty day extension of the Board's Order to respondent. Respondent scheduled an appointment for said examination with Dr. C.S.¹, at the Board's expense, for May 14, 2008, however, respondent failed to appear for said examination. To date, respondent has failed to comply with the Board's Order issued under Code section 820.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

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^{1.} The physician is identified by initials herein. The full name of said physician will be disclosed pursuant to a request for discovery.

1. Revoking or suspending Vocational Nurse License No. VN 126559, issued to SARA RAMIREZ; 2. Taking such other and further action as deemed necessary and proper. DATED: <u>July 8, 2008</u> TERESA BELLO-JONES, J.D., M.S Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California Complainant 03595110SF2007402193